

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (LODG) NO. 270 OF 2006

1. Hasmukhrai Ravishankar Thakor & ors.] .. Petitioners

Versus

1. Mandavi Coop. Bank Ltd.] .. Respondents

Mr. A.A. Desai for the petitioners.

Mr. A.A. Dahivale for the respondents.

CORAM: F.I. REBELLO &
ANOO V. MOHTA, JJ.

DATED: 06TH MARCH, 2006

P.C. :

. In a dispute filed by the respondent-Bank, an Award has been passed against the petitioners on 6th February, 2004. It appears that the petitioners herein have not yet preferred an Appeal against that order.

2. In the meantime the respondent Bank, as the petitioners had failed to pay the amount of the Award, have initiated proceedings under the Presidency Court Insolvency Act which are pending. As the petitioners have an alternative and efficacious legal remedy by way of an Appeal, it would not be appropriate for this Court

to exercise its extra ordinary jurisdiction. It will be open to the petitioners herein to prefer the Appeal and take such appropriate steps in law which they are entitled.

3. With the above observation, Petition stands disposed of.

Sd/-
[F.I. REBELLO, J.]

Sd/-
[ANOO V. MOHTA, J.]